

UNITED STATES DISTRICT COURT
Northern District of California

RICHARD A DUSTE,

No. C 08-03980 MEJ

Plaintiff,

**ORDER RE LEAVE TO SUBMIT
SUPPLEMENTAL BRIEF AND
SUPPORTING AUTHORITY**

v.

CHEVRON PRODUCTS CO,

Defendant.

During trial on October 3, 2011, Defendant raised an objection to comments made in Plaintiff's opening statement regarding the scope of his damages. The Court heard argument from the parties and issued a ruling sustaining Defendant's objection, thereby limiting Plaintiff to presenting evidence regarding his damages resulting from the alleged slanderous statement only, which is consistent with Defendant's Motion in Limine No. 3, which Plaintiff did not oppose. Plaintiff, however, argued that certain evidence would be excluded by the Court's ruling that is also relevant to showing damages resulting from the alleged slander and ratification by Chevron.

To ensure that the parties have a full and fair opportunity to argue this issue, the Court will permit the parties to each file a brief – no more than 5 pages in length – setting forth their positions and supporting legal authority, including citations to prior Orders and submissions from the parties and any relevant exhibits in the record. Counsel shall e-file the briefs no later than 8:00 a.m. on October 4, 2011. The Court will hear argument from counsel at 9:00 a.m. in Courtroom D.

IT IS SO ORDERED.

Dated: October 3, 2011



Maria-Elena James
Chief United States Magistrate Judge